



Employment for People With Disabilities

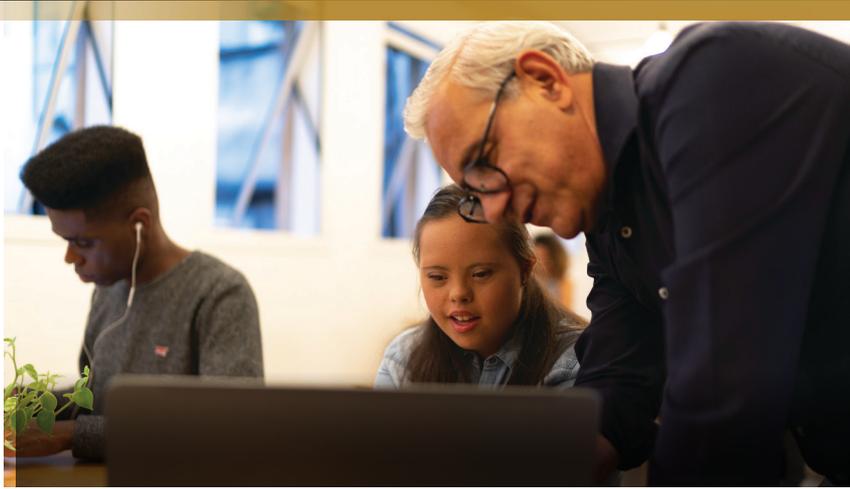
What You Need to Know

*For people with a disability
who want to learn about
competitive, integrated
employment in the community*



TEXAS
Health and Human
Services

Here you'll learn what
Employment First is,
the employment services
offered through Health
and Human Services programs,
and how going to work may
affect Social Security benefits
and health care coverage.



What is Employment First?

Employment First is the concept that employment in the general workforce should be the first and preferred option for people with disabilities receiving assistance from publicly-funded systems.

Employment First assumes a person with a disability can work. Unlike other people of working age in our society, where it's expected they'll become employed, people with disabilities often have to prove they can work. With the Employment First philosophy, it's assumed all people can work and employment in the general workforce is the preferred option.

What is Competitive, Integrated Employment?

Competitive, integrated employment means a person works on a full-time or part-time basis, including self-employment, that:

- Pays minimum wage or above.
- Has the same benefits package and chances for promotion to all employees, if possible.
- Is usually not owned or run by an agency whose only purpose is to support people with disabilities.
- Takes place in a united setting where people with disabilities work with people without disabilities.

Accessing Employment Services

A person with a disability in Texas is likely getting services from HHS through one of the Home and Community-Based Services Medicaid waiver programs or through a managed care organization. Employment services are part of the services available through the HCBS waiver programs and MCOs. Waiver programs provide long-term services in home and community-based settings rather than in an institution under the Medicaid program. The HCBS waiver programs in Texas include:

- Home and Community-based Services (HCS)
- Texas Home Living (TxHmL)
- Community Living Assistance and Support Services (CLASS)
- Deaf Blind with Multiple Disabilities (DBMD)
- Youth Empowerment Services (YES)

Except for the YES waiver, all HCBS waivers used to be run by the Department of Aging Disability Services. DADS is now a part of Texas HHS, which manages all HCBS waivers. These programs provide long-term services and supports.

Home and community-based long-term care services include a wide variety of personal care, health care and other supportive services provided to clients in their own homes or community. This helps them to continue living at home and to keep as much independence as possible.

Long-term services and supports help older adults and people with disabilities carry out everyday tasks many of us take for granted, like bathing, dressing, fixing meals and managing a home.

Managed care is a health care delivery system organized to manage cost, use and quality of services. Medicaid managed care delivers Medicaid health benefits and services through



contracts between state Medicaid agencies and MCOs. These programs provide long-term services and supports.

Medicaid managed care programs in Texas offering employment services include:

STAR+PLUS HCBS:

STAR+PLUS is a Texas Medicaid managed care program for people who have disabilities or are 65 and older. People in STAR+PLUS get Medicaid health care and long-term services and support through a medical plan they choose.

STAR Kids Medically Dependent Children Program (MDCP):

STAR Kids is designed to meet the unique needs of youth and children with disabilities. The program provides benefits such as prescription drugs, hospital care, primary and specialty care, preventive care, personal care services, private duty nursing, and durable medical equipment and supplies.

Employment Services Available Through HHS Waiver Programs and MCOs

There are two types of employment services available through HHS waiver programs — employment assistance and supported employment. Employment assistance helps people find competitive, integrated employment. Supported employment helps people maintain employment. Both services are available through the Consumer Directed Services option.

Prevocational services, offered only through the CLASS waiver, are made to help someone prepare for employment through many activities and teaching methods. Prevocational services are not used to train a person to do a specific job.

Referral to Texas Workforce Solutions – Vocational Rehabilitation Services

When a person receiving HCBS waiver or MCO services shows an interest in competitive, integrated employment, the person must be referred to TWS-VRS first. If the person is under age 22 and attending school, they must be referred to the school system. Referral to TWS-VRS or the school system must occur before employment services can be used through an HCBS waiver program or MCO. Those eligible for services through TWS-VRS will begin time-limited employment assistance services through TWS-VRS. Those not able to get services through TWS-VRS may receive employment assistance through their HCBS waiver program or MCO.

What is Employment Assistance?

Employment assistance through an HCBS waiver program or MCO is provided by the service provider to help find competitive,

integrated employment in one's community. The service provider may:

- Identify a person's employment preferences, job skills and requirements for a work setting.
- Conduct training on identified needs.
- Find prospective employment matched with a person's identified preferences, skills and requirements.
- Contact prospective employers on the person's behalf and negotiate their employment.
- Provide transportation to help the person locate paid employment in the community.
- Take part in service planning team meetings.

What is Supported Employment?

A person who already has a job may need ongoing support to keep their job. Supported employment helps a person be self-employed, work from home or take part in a competitive integrated work setting while successfully sustaining employment.

The service provider helps with:

- Employment adaptations, supervision and training related to a person's disability.
- Transportation to support the person's efforts to be self-employed, work from home or perform in a work setting.
- Service planning meetings and job coaching as needed.



Social Security Administration Programs and Work Incentives

There are many myths and misconceptions about what will happen to a person's Supplemental Security Income or Social Security Disability Insurance cash benefit if they go to work. The most common fears are that a person will lose their monthly cash benefit and Medicaid or Medicare coverage.

SSA offers safety nets to help people keep their benefits when they go to work.

Supplemental Security Income General Information

SSI is for people who have a disability or are over age 65 and who need help paying for food and shelter. The program is based on financial need and helps when a person is trying to get work and health insurance on their own. People on SSI in Texas automatically get Medicaid coverage.

There are three SSI programs:

- Childhood SSI — age 0–18
- Adult SSI — age 18–64
- Aged SSI — age 65 and older

In 2019 the SSI monthly cash benefit is a maximum of \$771 for a single person, \$1,157 for a couple or \$514 if the person lives with someone and does not pay room and board. There are also resource or asset limits of \$2,000 for a person and \$3,000 for a couple. SSI cash benefits are received monthly. For updated annual amounts, go to: ssa.gov/ssi/text-general-ussi.htm.

How Much Can a Person Earn While on SSI?

The good news is that a person has more money when they work and are on SSI. The amount of the monthly cash benefit is decided by a formula. As earnings increase, the amount of the monthly cash benefit begins to decrease. If a person has a job and earns \$470 in gross earnings, the monthly cash benefit will be reduced from \$771 to \$578.50. But at the end of the month the person would have \$578.50 in SSI plus around \$400 in net earnings for a total of \$978.50.

When Does the Monthly Cash Benefit Stop?

In 2019 when a person's monthly earnings reach \$1,627, they have reached the break-even point and the monthly cash benefit will go to \$0. But a person's Medicaid continues even if they are not receiving a cash benefit until they earn \$35,685 gross a year or higher.

Supplemental Security Income: Work Incentives

The Social Security Administration has special rules for people with disabilities receiving SSI which makes it possible for them to work and still receive a monthly cash benefit. These are called SSI work incentives. Work incentives include the following:

- Impairment-related work expenses (IRWE)
- Blind work expenses (BWE)
- Student earned income exclusion (SEIE)
- Plan to achieve self-support (PASS)
- Section 1619(b)
- Medicaid buy-in (MBI)
- Expedited reinstatement (EXR)

Impairment-related work expenses

Impairment-related work expenses are expenses from the purchase or payment of special equipment, training or other items directly related to a person's ability to perform work with their impairment. Up to one-half of the money put aside for expenses in an IRWE comes back to the person's SSI cash benefit. An IRWE must be necessary for work and related to a person's disability.

Examples of expenses that may qualify as an IRWE:

- Cost of prescription drugs related to disability
- Paratransit
- Job coaching
- Durable equipment and assistive technology needed for the job
- Mileage to and from work or daily round-trip mileage if a person drives a modified vehicle



Blind work expenses

Blind work expenses allow a person to deduct many work-related expenses dollar-for-dollar when declaring income for SSI. To qualify for BWE, a person must have Social Security Disability because of blindness.

Examples of expenses that may qualify as a BWE:

- Taxes taken from pay
- Meals eaten at work
- Cost of prescription drugs related to disability
- Paratransit
- Job coaching
- Any form of transportation
- Sensory or visual aids
- Braille translation of work materials
- Service dog and all associated expenses like food and veterinarian bills
- Durable equipment
- Assistive technology needed for the job

Student earned income exclusion

Student earned income exclusion allows SSI recipients who are under age 22 and regularly attending school to exclude a certain amount of earned income without the SSI cash benefit being reduced. The SEIE can be used when the student is off for holiday breaks and during the summer.

Plan to achieve self-support

A plan to achieve self-support is a plan for a person's future. Earned or unearned income other than SSI cash benefit is put away to buy items or services to help a person get, keep or advance in employment. A person does not have to be working to have a PASS but they must have an employment goal. Many people with disabilities want to work. Perhaps a person needs to go back to school before getting a job, or they would like to start their own business but don't have the money. Whatever the work goal may be, a PASS can help a person reach it.

Section 1619(b)

Section 1619(b) of the Social Security Act allows working SSI recipients in Texas to keep Medicaid coverage until they earn a yearly gross income of \$35,685 or higher with a individualized threshold. For updated section 1619(b) state threshold amounts, go to: ssa.gov/disabilityresearch/wi/1619b.htm.

Medicaid Buy-In

The MBI program is a great resource for people who received SSI but have gone over the state threshold of \$35,685 earned off of 1619b and do not qualify for an individualized threshold. The program offers low-cost Medicaid health care services, including community-based services and supports, to people with disabilities who work. Those who get HCBS waiver services

can be on MBI. People in the program might have to pay a monthly fee. To access the online application, go to: hhs.texas.gov/laws-regulations/forms/1000-1999/form-h1200-application-assistance-your-texas-benefits.

Expedited reinstatement

Expedited reinstatement allows a person to ask for benefits to restart if the benefits ended because the person worked and had earnings. The request must be within five years of the month the person's benefits ended. A person may be eligible for EXR if they are an SSI recipient or Social Security Disability Insurance beneficiary who:

- Stopped receiving benefits because of earnings from work.
- Is unable to work or perform substantial gainful activity.
- Is disabled because of an impairment that is the same as or related to the impairment that allowed the person to get benefits earlier.

Title II Disability Programs: General Information

There are three Title II Programs:

- Social Security disability insurance (SSDI)
- Childhood disability beneficiary (CDB) or disabled adult child (DAC)
- Disabled widow or widower beneficiary (DWB)

Social Security disability insurance

Social Security disability insurance benefits are paid to a person and certain family members if they are "insured," meaning that a person worked long enough and paid taxes. People who qualify for SSDI automatically receive Medicare.



Childhood disability beneficiary or disabled adult child

Childhood disability beneficiary or disabled adult child describes some people over age 18 whose disability occurred before age 22, and whose mother or father retires, passes away or becomes disabled themselves. The adult child will begin drawing a cash benefit and Medicare from the parent's Retirement, Survivors, Disability Insurance record.

Disabled widow or widower beneficiary

A disabled widow or widower beneficiary is someone at least age 50 but not yet turned 60, has a disability that meets SSA's definition and whose spouse has passed away. The DWB draws a cash benefit and Medicare off the spouse's survivor record.

How Does Working Impact Title II Benefits?

Depending on the stage of work, a person either gets their full Title II cash benefit or no cash benefit at all.

The “stages of work” include:

- Trial work period (TWP)
- Extended period of eligibility (EPE)
- Expedited reinstatement (EXR)
- Initial reinstatement period (IRP)

Trial work period

A trial work period allows a person to test their ability to work for at least nine months. During the trial work period, a person will get their full disability benefit no matter how much they earn if the work activity has been reported and the person continues to have a disability. The nine months do not need to be consecutive and the trial work period will last until the person accrues nine months within a rolling 60-month period.

Extended period of eligibility

An extended period of eligibility begins if a person’s disability benefits stop after successfully finishing the trial work period because the person worked at the substantial gainful activity level — \$1,220 for those who are not blind and \$2,040 for those who are blind in 2019. Benefits can automatically be reinstated without a new application for any months in which a person’s earnings drop below the substantial gainful activity level. The EPE lasts for 36 consecutive months following the end of the trial work period.

Expedited reinstatement

Expedited reinstatement allows a person to easily get back on SSDI if they lose a job or start earning under \$1,220 or \$2,040 a month in 2019.

Initial reinstatement period

An initial reinstatement period occurs when a person has been put back on benefits through EXR.

What happens to Medicare coverage?

A person gets Medicare if they receive a Title II cash benefit. If a person's cash benefit ends because of earnings from work, Medicare continues for at least seven and three-quarter years from the end of a completed trial work period.

Title II work incentives

Impairment-related work expenses enable people receiving SSDI to recover some of the costs of expenses incurred because of their disability to support their work. SSA subtracts these expenses from a person's earnings when figuring out countable income. By reducing countable income, impairment-related work expenses may help a person remain eligible for SSDI benefits.

Subsidy and special conditions

Subsidy is when a person's employer provides extra accommodations, supervision or other special assistance because of the person's disability. The extra support received on the job may result in the person getting more pay than the actual value of the work performed.

Another type of subsidy is called "special conditions." Special conditions exist when a person receives supports or services from someone other than the employer, possibly subsidizing the person's ability to perform their work.

Reporting Income to Social Security Administration

Everyone must report their income to SSA. Those on SSI must report every month. SSDI beneficiaries must report any time there is a change in earnings. It is important that people keep a copy of everything they send in.

To learn more, go to:

ssa.gov/ssi/spotlights/spot-reporting-earnings.htm.

Helpful Resources

Going to work and the impact on a person's social security benefits can be overwhelming, but there are experts across Texas who can give guidance and support.

Community Work Incentive Coordinators

CWICs are Work Incentive Planning and Assistance program personnel who help people with disability benefits understand how working will affect their Social Security disability cash benefits and health care. They also recommend work incentive programs people may qualify to use.

CWICs are highly-trained staff certified by the Social Security Administration under a WIPA grant. Services are free to any person who receives SSI or a Title II disability benefit who is thinking about employment or is currently employed. To learn more, see the Ticket to Work Help Line below.

SSA's Ticket to Work Help Line

People can contact a representative at SSA's Ticket to Work help line at **866-968-7842** or **866-833-2967** for TDD. Representatives give people basic information on SSI and Title II programs and the effects of earnings from work on cash benefits and health care coverage.

Protection and Advocacy for Beneficiaries of Social Security

PABSS gives information to people on a wide variety of work-related subjects including benefits and accessible housing. PABSS also helps those receiving services provided by an Employment Network under the Ticket to Work program. PABSS can sometimes help people with work-related SSI or Title II overpayments. Call the Disability Rights Texas intake line at **800-252-9108** to reach PABSS staff. Current clients of PABSS call **800-315-3876**.

Health Information Counseling and Advocacy Program

HICAP is a partnership of the Texas Legal Services Center and Departments of Insurance and Texas Health and Human Services. HICAP has certified regional benefits counselors and trained volunteers who help people age 60 and older and Medicare-eligible people with disabilities of any age. They provide information, counseling, aid and advocacy regarding Medicare, entitlements and legal rights.

Find the AAA HICAP program at:

tdi.texas.gov/consumer/hicap/phone.html

apps.hhs.texas.gov/contact/aaa.cfm

800-252-9240



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